

REMARKS

Claims 1-12, 14-17 and 19-21 are pending in the application. Claims 1, 2, 6-12, 14-17 and 19-21 stand allowed in the Office Action mailed May 17, 2004. Dependent claims 3-5 stand objected to for the alleged informalities of appearing to be broader than the independent claim from which they depend (Claims 3 and 4) or for not further limiting the independent claim from which it depends (Claims 5).

In the present amendment, Claims 3-5 are amended. Support for the amendments to Claims 3-5 may be found in the specification, for example, at page 4, lines 9-20 and in the claims as originally filed. The above amendments are made without acquiescing to any of the arguments presented by the Examiner, and without prejudice to further prosecution of subject matter not covered by the awarded claims in one or more continuing or divisional applications. No new matter is added by way of the amendments.

The Objections to Claims 3-5

Claims 3-5 stand objected to as allegedly being of improper dependent form for failing to further limit the subject matter of a previous claim. As amended, Claim 3 recites the names and SEQ ID numbers of the human polypeptides or fragments to which is directed; these human polypeptides or fragments are selected from the polypeptides and fragments named in claim 1, from which it depends.. As amended, Claim 4 recites the names and SEQ ID numbers of the isolated ligands of the claim, which are selected from those isolated ligands recited in claim 1 from which it depends. As amended, Claim 5 recites the SEQ ID number of the heregulin- γ polypeptide of the claim, which is one of the polypeptides named in claim 1 from which it depends. As amended, Claims 3-5 are directed to, and explicitly recite, a subset of the heregulin polypeptides named in Claim 1. Thus, Claims 3-5 further limit Claim 1 from which they depend. Accordingly, Applicant respectfully submits that the objections to Claims 3-5 are overcome.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all claims in the present application stand in condition for allowance. Applicant respectfully requests reconsideration and allowance of all claims. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 08-1641 referencing Attorney's Docket No. 39766-0035 C1.

Respectfully submitted,

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**Amendment and Response to Office Action
(Dated May 17, 2004)
Application Serial No. 09/849,868
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